EXHIBIT A

1 (Pages 1 to 4)

r-		· -	1 (Pages 1 to 4
1	IN THE UNITED STATES DISTRICT COURT	١,	
2	FOR THE DISTRICT OF MARYLAND	$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	APPEARANO RIGINAL
3	x	$\frac{2}{3}$	OMOMA
4	FARIECE ALTICE x	4	ON BEHALF OF THE PLAINTIFF:
5	Plaintiff. x	5	WILLIAM MULRONEY, ESQUIRE
6	v. x Case Number:	6	ASHCRAFT & GEREL, LLP
7	AMF BOWLING CENTERS, INC., x DKC-06-949	7	10 E. Baltimore Street
8	et al., x	8	Suite 1212
9	Defendants. x	9	Baltimore, Maryland 21202
10	x	10	(410) 539-1122
11 12	Denovidia (CMOUT) ACON	11	
13	Deposition of MIGUEL MEJIA	12	
14	Baltimore, Maryland	13	ON BEHALF OF THE DEFENDANTS:
15	Tuesday, November 28, 2006	14	ALEXANDRA S. PARADISE, ESQUIRE
16	10:53 a.m.	15	Karpinski, Colaresi & Karp, P.A.
17		16 17	120 East Baltimore Street
18		18	Suite 1850
19		19	Baltimore, Maryland 21202-1605 (410) 727-5000
20	Job No.: 1-91733	20	(410) 727-3000
21	Pages: 1 - 23	21	
22	Reported by: Esther M. Wood, Notary Public	22	
1	Deposition of MIGUEL MEJIA held at the	1	CONTENTS 4
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3		3	EXAMINATION OF MIGUEL MEJIA PAGE
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5	10 E. Baltimore Street	5	By Ms. Paradise 21
6	Suite 1212	6	
7	Baltimore, Maryland 21202	7	EXHIBITS
8 9	(410) 539-1122	8	(No Exhibits Marked)
10	Purcuant to Nation before Eather M. W.	9	Appared to the second s
11	Pursuant to Notice, before Esther M. Wood, Court Reporter and Notary Public in and for the State	10	
12	of Maryland.	12	
13	,	13	
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21 22	!	21	E. C.
22		22	
777 7775			

2 (Pages 5 to 8)

f			2 (Pages 5 to 8
١,		5	7
	PROCEEDINGS	1	A Yes.
$\frac{1}{3}$	Thereupon	2	and means maintenance.
1.	MIGUEL MEJIA.	3	
5	having been duly sworn, testified as follows:	4	2 Tight. That do you keep records with
6	EXAMINATION BY COUNSEL FOR THE PLAINTIF BY MR. MULRONEY:	F 5	
7		6	we keep
8	Q Mr. Mejia? A Mejia.	7	8.
9	Q Mr. Mejia, have you ever had your deposition	8	Q What kind of log?
10		9	A For the oil consumption.
11	A No.	10	Caracter Stay. Bet me just show you, we
12		11	marked this in the last deposition as Exhibit Number
13	procedure?	12	and the you're talking debut.
14	A Yes.	13	
15	Q You understand it's under oath?	14	column in a maintenance records
16	A Yes.	15 16	that you keep with regard to the lanes machine other than this?
17	Q You understand what an oath is?	17	
18	A Yes.	18	A No. Q That's it?
19	Q State your full name.	19	A Yes.
20	A Miguel Mejia.	20	
21	Q And your home address?	21	Q What happens when you service the machines do you keep any records of that or not?
22	A 5515 Sheldon Drive, Alexandria, Virginia.	22	A No. We just do it. I mean, I have times
_			
1.	6		8
	Q And how old are you now?	1	when I know I'm supposed to do it, like every month or
$\begin{vmatrix} 2 \\ 3 \end{vmatrix}$	A Thirty-four.	2	every week I will do certain things to check the
4	Q And by whom are you employed? A AMF.	$\frac{3}{1}$	machines.
5		4	Q Do you have to call in for service for the
6	Q How long have you been employed by AMF?A Eight years, at least.	5	machine?
7	Q Eight years? And in what capacity are you	6	A No. I fix it myself.
8	employed by them?	7	Q You fix everything yourself?
9	A I'm a facilities manager.	8	A Yes.
10	Q Currently you are a facilities manager?	10	Q Where do you get parts? A From AMF.
11	A Yes.	11	Q Okay. But you don't keep any particular
12	Q Does that mean you have the position today	12	repair notes or paperwork on the machine?
13	that Mr. Smith had?	13	A Not on the lane machine.
14	A No. He's a general manager.	14	Q All right. Back on November the 15th of
15	Q He's a general manager.	15	2004, do you recall which of the AMF facilities you
16	What's a facilities manager?	16	were working at?
17	A Facilities manager takes care of the	17	A That's the one that I'm still there.
18	machines and takes care of the whole building.	18	Q Oh, you're still there. And what's the
19	Whatever problems they have, I have to take care of	19	location of that?
20	it.	20	A 4717 St. Barnabas Road, Temple Hills,
21	Q Is one of the machines you have to take care	21	Maryland.
22	of the lane machine?	22	Q Do you have any independent recollection of

3 (Pages 9 to 12)

11

an accident that happened to a bowler at that facility 1 manager? 2 in the morning hours of November 15th, 2004? 2 A He told me what had happened. And I went to 3 No, I don't. 3 see where it had happened and to see if there was 4 You don't remember anything? 4 anything wrong with the approach or the lane, and I 5 No, because I wasn't there. 5 didn't see anything. 6 You weren't there? Q What time was that? 7 A I mean, I wasn't in front. See, I'm in the 7 Around 2:00 p.m. 8 back, I have to take care of the machine, so I go in 8 Around 2:00 p.m. What discussion did you 9 the back and then I wait for calls if there's any. 9 have with the manager? 10 So I wasn't even aware that there was an 10 A Nothing, he just informed me that somebody 11 accident until I went out later when the league was 11 had an accident. 12 done. 12 Q And why did you decide to go and look at the 13 When did you first hear about the accident? 13 scene of the accident? 14 A I think it was probably 1:00 or 2:00 p.m., 14 A Just to make sure that everything was the which was when the league was done. 15 15 way it's supposed to be, like if the approach wasn't Q November 15th of 2004, just assume that I'm 16 damaged or whatever, I mean, if there was gum on 16 17 correct, it was a Monday morning, do you know what 17 there, but there was nothing, it was clean. 18 time you went to work that day? 18 Q Was one of the things you were looking for 19 7:00. 19 whether there was any excess oil in the approach area 20 7:00 o'clock? 0 20 where the bowlers approach the line to the bowling 21 A Yes. 21 alley? 22 And what were your duties that morning, if O 22 A No, not really, because we don't -- there's 10 12 1 you recall? really no oil in there, in the approach. There's 2 A My duties usually are Monday mornings I go 2 usually never oil in there, it's only in the lanes 3 and check that all the machines are working, that the where the machine -- I mean, the machine sits on the 4 building is good, and I do some repairs if there's lane, not the approach. 5 any. 5 Q I understand. The last witness indicated 6 Q Do you keep records of repairs? that the lanes machine has to be maneuvered by hand at 7 A Yes, we do for the machines. 7 the end of its completion to the next lane over? 8 For the machines? 8 Yes, it does. 9 Yes, we do. 9 Q Have there been occasions where in that 10 So you were in the back when you heard about 10 process, either soap or oil has leaked from the 11 this and --11 machine into the area where the bowlers walk or 12 A I didn't hear it in the back. I went up 12 approach the alley to release their ball? 13 front when I heard. 13 A Not in --14 Q Was the lady already gone? 14 The question is has it ever happened? 15 A Yes, everything had happened already. I 15 A Yes, it has happened, yes, obviously it has seen nothing. 16 happened. 17 Q You saw nothing? 17 How does that happen? 18 18 A I mean, if there's excess oil dripping from 19 Q After when you heard about this, did you 19 the machine or on the -- it's called a buffer which 20 have any discussions with the manager? 20 catches the oil and that's what transferred it to the 21 A Yes. 21 lane, if there's some oil in the buffer, then it might

drip maybe one drop, but it's not more than that. The

22

Q What discussions did you have with the

4 (Pages 13 to 16)

13 1 tanks are secure. schedule. As long as it's done by 9:00 a.m., it's all 2 Q Okay. Can you explain to me the meaning of 2 3 the entries on this log file? This is the -- I guess Q The question I have for you is -- well, let 4 this is a record of the oil and soap that's utilized 4 me go back. 5 in the lane machine? 5 Would he ordinarily report to work at 7:00 6 A Oil only. 6 o'clock with you and the manager? 7 Q Oil only. And it looks like four times a 7 A What do you mean? day there's an entry made. Do you see on the top it 8 8 Q What time would he -- you reported to work 9 starts at 11/29 and then it's one, two --9 at 7:00 o'clock in the morning? 10 A Actually one -- yeah, that's it, that's 10 A Yes. 11 correct. 11 Q The general manager reported to work at 7:00 12 O And why is that entry made four times each 12 o'clock in morning. day? 13 13 What time did the lanesman report to work? 14 He does it every ten lanes. A 14 A He didn't have a schedule. I mean, he still 15 Every ten lanes, okay. So it happens in the 15 doesn't have a schedule. He just usually will be morning and -- but he stops after doing ten? 16 16 2:00, 3:00, 4:00, sometimes he came at 5:00, as long 17 A Yes. 17 as he got it done by 9:00, we didn't have a problem 18 O And then what happens after he stops doing 18 with him coming at those times. 19 ten lanes? 19 To the best of your knowledge, does the time 20 He puts more oil and checks how much is 20 and the time of day, is that accurate on these 21 being used and records it in here. 21 records? 22 Okay. Program number nine, what does that 22 A Yes. He's very accurate with that. I mean, 14 1 mean? we're one of two centers that have those logs like 1 2 A That's the program that we use for the 2 that. leagues in the morning. There's different programs. 3 3 Q How long does it take him to do the lanes, 4 Q And describe for me just generically what 4 all ---5 kind of programs are there. 5 It takes five hours. 6 A There's the program nine which is stripping/ 6 Q Five hours, okay. So if he indicates on 7 oil, it's call stripping/oil, because what it does is November 15th, which is the date of this accident, 7 8 it cleans the lane, and after it does that, it also 8 that it's 2:59 a.m., that's -- is that the start time, 9 oils it. 9 that's when he is starting his work? 10 And then there's the one which is only oil, 10 That's the time where he is on the tenth we don't need to wash it again. And there's for strip 11 11 lane. 12 only which we don't really use. 12 O That's the time that he's on the tenth lane? 13 Q Let me ask you, the time that he puts down 13 A Yes. 14 for this is, he puts down 3:01 a.m. 14 Okay. And how long does it take him to do O 15 A Um-hmm. 15 ten lanes? Q Is he there before you come? 16 16 A I can only guess, probably --17 A Yes, he's there before me. 17 MS. PARADISE: If you don't know --18 Q So he actually does this well before 7:00 18 A I just don't know. 19 o'clock in the morning; is that right? 19 Q Well, you said that it takes about five 20 Yes. 20 hours to do the whole bowling alley? 21 Does this accurately reflect --21 A Yes, but I really don't know. I mean, 22 It varies because he doesn't have a 22 sometimes he can go slowly or he can go faster.

5 (Pages 17 to 20)

don't know. He's an old gentleman, so he takes his 1 It's not new, but it's the regular. 2 time. 2 How old was that machine? 3 Q Okay. All right. So his shift is totally 3 Probably five years old, five or six years 4 different from your shift and from the general 4 old. manager's shift? 5 0 At the time or now? 6 A Yes. 6 A No. At the time it was probably three or 7 Do you know what time he goes to work? 7 four years old. A I don't know the exact time. All I know is 8 8 Q Okay. Thank you very much. 9 that he gets it done by 9:00. 9 After you heard of this accident, did you 10 Q Okay. Got you. And then so that on 10 have any discussions with the lanesman? November 15th of '04, after he's done ten lanes, it's 11 11 No, not really. 12 about 2:59 a.m., he's utilizing program number nine. 12 Was he there at the time of the accident or 13 When we get over to this column here, 13 he had already left? 14 there's a number two, it says -- the column says oil 14 A Well, I found out later that he bowled that 15 used in the left center two? 15 morning. 16 Left center, yes. 16 Q He bowled that morning? 17 What does the number two refer to? 17 18 A That's two ounces of oil. 18 O So he obviously, after he got off work, he 19 And then in the next column, it says oil 19 bowled? 20 used in the right center, it says three, that means 20 A He bowled. 21 three ounces of oil? 21 Q Was he in the league that was bowling that 22 A Yes. 22 morning? 18 20 Why would the numbers be different? 1 1 Yes, he was on the same league. 2 A Because there's more right-hand bowlers, so 2 As I understand, he doesn't have set hours 3 we put more oil on the right-hand side. 3 like you do? 4 Q Does he simply fill the oil to the top of 4 A Um-hmm. 5 the container and then report how much oil he has 5 He just has to come and get the job done 6 utilized to fill it to the top? before 9:00 o'clock? 7 A Yes. 7 A Yes. And then the operator, I presume he's Q 8 And he has keys to the facility to let 9 signing his name here? 9 himself in? 10 Yes. 10 A Yes. 11 0 What's the next column, notes, he continues 11 Q And he's the only one there in the middle of 12 to write in --12 the night when he's doing this work? 13 A Summitt. 13 A No. There was a gentleman that used to com 14 Summitt, what does that mean? 14 in and do the cleaning, but he's no longer with AMI 15 A We have a spare lane machine, so when one I'm not sure if he was the same person, I just can't breaks down, we can use another one. So he put that 16 16 recall who it was. We just went through so many 17 one, the one that he was using at the time. people, I don't know if that person was there at the 17 18 Okay. The Summitt machine? 18 time that day. I can't even remember who -19 A Yes. 19 Q You can't remember the person's name? 20

20

21

22

A

there.

It was too many people that went to work

Q Let me just see if we have a name that might

O

machine?

21

22

Was that your regular machine or your spare

That's the regular, the new machine, ves.

DEPOSITION OF MIGUEL MEJIA CONDUCTED ON TUESDAY, NOVEMBER 28, 2006

Г			0 (rages 21 to 2
	1 I've been given the name of a Broderick Sanders.	1	2. CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBL
	2 A Yes, that's the one that I remember most.	2	
1	3 Q And Broderick Sanders was a janitor?	3	I, Esther M. Wood. Court Reporter, the
l	4 A Yes.	4	officer before whom the foregoing proceedings were
	5 Q But you don't know whether he was there	5	taken, do hereby certify that the foregoing transcript
	6 that	6	is a true and correct record of the proceedings; that
l	7 A No. Because he had a scheduled also that he	7	said proceedings were taken by me stenographically and
l	8 didn't work every day. He would work one or two days,	8	thereafter reduced to typewriting under my direction;
l	9 so I really don't know if he was there that day.	9	and that I am neither counsel for, related to, nor
	Q And I'm gathering that you did not see the	10	employed by any of the parties to this case and have
	II EMTs or any of the activity that went on?	11	no interest, financial or otherwise, in its outcome.
	2 A No, unfortunately I didn't.	12	
l	MR. MULRONEY: That's all I have. Thank you	13	IN WITNESS WHEREOF, I have hereunto set my
	4 very much, appreciate it.		hand and affixed my notarial seal this 3rd day of
i	5 EXAMINATION BY COUNSEL FOR THE DEFENDANTS	14	December, 2006.
L	6 BY MS. PARADISE:	١	W 0
L	7 Q Mr. Mejia, when you say that the lane	16	My Commission Expires:
ı	8 machine would transfer, manually transfer lanes?	17	July 1, 2007
ı	9 A Yes.	18	
Ι.		19	
ı	Q And that it was possible for soap or oil to	20	
Ι.	· '	21	NOTARY PUBLIC IN AND FOR THE
~	2 A Um-hmm.	22	STATE OF MARYLAND
		 	
ŀ	1 Q Approximately how much are you talking 22	l	
	2 about?		
	3 A I think it's no more than a drop.		
	4 Q Smaller than the size of a penny?	ı	
	5 A Yes, definitely.		
	6 MS. PARADISE: I have no further questions.		
	You have the right to review your testimony		
	this morning, they can send your transcript to you and		
	you can read it and sign it or you can waive signature		
1	this morning, it's up to you.		
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DEPOSITION OF MIGUEL MEJIA CONDUCTED ON TUESDAY, NOVEMBER 28, 2006

1	CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC
2	
3	I, Esther M. Wood, Court Reporter, the
4	officer before whom the foregoing proceedings were
5	taken, do hereby certify that the foregoing transcript
6	is a true and correct record of the proceedings; that
7	said proceedings were taken by me stenographically and
8	thereafter reduced to typewriting under my direction;
9	and that I am neither counsel for, related to, nor
10	employed by any of the parties to this case and have
11	no interest, financial or otherwise, in its outcome.
12	IN WITNESS WHEREOF, I have hereunto set my
13	hand and affixed my notarial seal this 3rd day of
14	December, 2006.
15	
16	My Commission Expires:
17	July 1, 2007
18	
19	
20	Esther M. Wood
21	NOTARY PUBLIC IN AND FOR THE
22	STATE OF MARYLAND
1	i

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